

Posted – May 13, 2010

REGULAR MEETING MAY 17, 2010

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, May 17, 2010 at 7:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

CONSENT CALENDAR

- 1. Approval of Minutes – Special Meeting, April 26, 2010.**
- 2. Approval of Minutes – Special Meeting, May 3, 2010 – 5:00 pm.**
- 3. Approval of Minutes – Special Meeting, May 3, 2010 – 6:00 pm.**

4. Approval of Minutes – Regular Meeting, May 3, 2010.

5. Memorandum of Tax Collector, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.

6. Resolution of the Council, re: Cancellation for certain Middletown taxpayers.

7. Memorandum of Town Administrator, with enclosures, re: Tax Collector's Report for period ending April 30, 2010.

8. Memorandum of Town Administrator, with enclosures, re: Budget Adjustments as of April 30, 2010.

9. Resolution of the Council, re: Approval of budget adjustments – General Fund.

10. Resolution of the Council, re: Approval of budget adjustments – Parks & Recreation Fund.

11. Resolution of the Council, re: Approval of budget adjustments – Sewer Fund.

12. Notice of Public Hearing from the Middletown Zoning Board of Review, Petition from Jonathan Cortes, 40 High Street, for a variance from sections 603, 701 & 803G – to reconstruct the existing single family dwelling with a 24' x 30' attached garage addition with a front yard setback of 24' where 25' is required, and a 24'x30' – 2 story addition with a right side setback of 12' where 15' is required and to construct a 12'x16' shed with a rear setback of 1' where 10' is required and a right side setback of 1' where 15' is required. Said real estate located at 40 High Street, TAP 108, Lot 97G.

13. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed legislation, Hess LNG proposal, Returning America's Cup Challenge to Newport and Proclaiming May as Mental Health Month. (See Attached List with enclosures)

14. Communication of Michael J. Slein, President, Newport County Council Navy League of the United States, re: Appreciation for support which permitted five Military Guests to attend the 2010 Military Appreciation Night.

15. Communication of Dr. David R. Gifford, MD, MPH Director, Rhode Island Department of Health, Brittan K. Bates-Manni, MS, MEP Strategic National Stockpile Coordinator, Rhode Island Department of

Health and David A. Balbi, Assistant Strategic National Stockpile Coordinator, Rhode Island Department of Health, re: Appreciation to the Middletown Fire Department for all involved with efforts to protect the health and safety of the community establishing the municipal POD – vaccinating against H1N1.

16. Application of Lee Patrick Richardson dba Richardson's Ice Cream, 1272 East Main Road, Portsmouth, for RENEWAL of Peddler's License for the 2010-2011 licensing year.

17. Applications received from the following named persons, firms or corporations for RENEWAL of Mechanical Amusement Device License for the 2010-2011 licensing year. (See Attached List)

18. Application for Special Events Permit from Newport County Community Mental Health Center, Annual Bike-A-Thon, to be held on Sunday, September 19, 2010 from 9:00 am to 1:30 pm. (See attached map for route)

19. Applications five (5) for Special Events Permit from Sweet Berry Farm, Mitchell's Lane, 1) Migliarese/Campbell Wedding, Saturday, June 19, 2010 from 5:00 pm to 10:00 pm 2) Keeler/Alhadeff Wedding, Sunday, June 20, 2010 from 3:00 pm to 8:00 pm 3) Oakley/Blumstedt

**Wedding, Saturday, August 21, 2010 from 4:00 pm to 9:00 pm 4)
Hambelton Rehearsal Dinner, Saturday, September 4, 2010 from
3:00pm to 8:00pm 5) Sarro/Fitzpatrick Wedding, Saturday, October 2,
2010 from 4:00 pm to 10:00 pm.**

**20. Application for Special Event Permit from St. George's School,
372 Purgatory Road, Reunion Weekend, to be held on Saturday, May
15, 2010 from 12:00 pm to 11:00 pm. (Approved on an emergency
basis by Town Administrator 5/12/10)**

**21. Application for Special Event Permit from St. George's School,
372 Purgatory Road, Prize Day, to be held on May 30, 2010 from 7:00
pm to 8:00 pm and May 31, 2010 from 12:15 pm to 1:45 pm.**

TOWN COUNCIL

**1. Application of Michael Joseph Nardolillo dba Provencal Bakery,
750 Aquidneck Avenue, for a Victualling House License for the
2009-2010 year. (NEW)**

**2. Memorandum of Town Administrator, with enclosures, re:
Emergency Vehicle Priority Control System, Green End Avenue and
Valley Road.**

3. Resolution of the Council, re: Approving the Construction & Maintenance Agreement for the emergency vehicle priority control system at Green End Avenue and Valley Road and authorizing the Town Administrator to execute said agreement.

4. Memorandum of Town Administrator, with enclosure, re: Amending Ordinance on Restraint of Dogs.

5. An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Title IX General Regulations, Chapter 90 Animals, Section 90.20 Definitions.

6. Memorandum of Town Administrator, with enclosure, re: Purchase of Rescue Water Craft.

7. Resolution of the Council, re: Purchase of Rescue Water Craft.

8. Memorandum of Councillor Sylvia, with enclosures, re: Request for Council approval to construct a shelter/shade type structure at Howland Park.

9. Communication of Joyce Williams, Victoria Johnson, Alphonsa Cook, Tournament Coordinators, Newport County NAACP, re: Request for support – NAACP Annual Golf Tournament.

10. Email communication of Mersina Simanski, Middletown High School Student, re: Requesting support to attend the 2010 Harvard Secondary School Program.

11. Communication of Haley Moniz, Middletown High School Student, re: Requesting support to attend 2010 National High School All Star Gymnastic Championship.

12. Memorandum of Denise D'Amico, re: Resignation from the Comprehensive Plan Update Committee.

13. Appointment of one (1) member to the Juvenile Hearing Board for a term expiring April 2013.

PUBLIC FORUM SESSION

Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

EXECUTIVE SESSION

Executive Session Pursuant to provisions of RIGL, Sections 42-46-2.,42-46-4. and 42-46-5. (a) (5) lease (East Main Road), (5) lease (Mitchell's Lane)

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.

ADDENDUM TO TOWN COUNCIL AGENDA

POSTED – May 14, 2010

REGULAR MEETING – May 17, 2010

Executive Session Pursuant to provisions of RIGL, Sections 42-46-2.,42-46-4. and 42-46-5. (a) (2) Collective Bargaining (Police, Fire, Public Works and Town Hall Unions).

Wendy J.W. Marshall, CMC
Town Clerk